IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

WP(C).No. 4733 of 2007(L)

PETITIONER:

J. CHANDRAN PILLAI,
S/O. K.P. JANARDHANAN PILLAI, AGED 54 YEARS,
U.D. CLERK, KUNDARA GRAMA PANCHAYAT, KOLLAM DIST.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:
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1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT DEPARTMENT, SECRETARIAT,
TRIVANDRUM.

2. THE DIRECTOR OF PANCHAYATS, TRIVANDRUM.

3. THE SECRETARY,
KUNDARA GRAMA PANCHAYAT, KOLLAM.

4. SRI.THOMAS UMMEN,
U.D.CLERK, MANDROTHURUTH GRAMA PANCHAYAT,
KOLLAM DISTRICT.

R1 TO 3 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12.2.2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 4733 OF 2007

Dated this the 12th February, 2007.

JUDGMENT

Feeling aggrieved by Ext.P4 order passed by the Director of Panchayats on 8.2.2007 transferring the petitioner from Kundara Grama Panchayat to Mandrothuruthu Grama Panchayat in the same district vice one Thomas Ommen, the fourth respondent, has been trnasferred, the petitioner has filed Ext.P5 representation before the Government seeking for a review of Ext.P4 and to allow him to continue in Kundara Grama Panchayat. It is stated that the petitioner is due to retire from service by the end of this year, that his wife is suffering from lung cancer and that his presence at home will be of great assistance to the members of the family. It is for the first respondent to consider the request made by the petitioner as per Ext.P5. Counsel submits that a time frame may be fixed by this Court for the disposal of Ext.P5.

2. Heard Govt. Pleader also. In the nature of the order I propose to pass, notice need not be issued to respondent No:4.

3. The first respondent is directed to pass orders on Ext.P5 as early as possible, in any event, within three weeks from the date of receipt of a copy of the judgment.

In case the first respondent finds that the order on Ext.P5 is likely to cause dislocation to the fourth respondent, the petitioner as well as the fourth respondent shall be afforded an opportunity of being heard, in which event, the time fixed by this Court for passing orders on Ext.P5 shall stand extended by one more month.

Writ petition is disposed of accordingly.

K.K.DENESAN
Judge

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